IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.2752 of 2008
POLICE SAHNI & ORS
Versus
STATE OF BIHAR
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3 15.05.2008 Counsel for the petitioner submits that this application has become infructuous so far as petitioner nos. 1(Police Sahni), 3 (Daroga Sahni), 5 (Madan Sahni and 12 (Mangal Sahni) as they have been arrested by the police.

The rest petitioners apprehend their arrest in connection with Pipra P.S. case no. 133/2007 instituted under sections 341, 323, 324, 304, 379, 504 and 34 of I.P.C. and section 3(i) X S.C. and S.T. Act.

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Counsel for the petitioner submits that this is a counter blast of the earlier case lodged by the petitioner no. 4 Inspector Sahni. He draws attention of this Court to Annexure-2. From perusal of the Annexure-1, the present F.I.R. and the Annexure-2 , it appears that both the occurrence had in fact taken place on and about the same date and time. It further appears that both parties received injuries. It has further been submitted that absolutely there is no allegation constituting any offence punishable under section 3(i)X of S.C./S.T. Act. .In this factual background, it has been submitted that the petitioners are entitled to privilege of anticipatory bail.

In the facts and circumstances of the case, the prayer of anticipatory bail is allowed. In the event of arrest or surrender in the Court below within four weeks from today, the petitioners

Shambhu Sahni, Inspector Sahni, Dharmendra Sahni, Dilip Sahni, Santosh Sahni, Ram Darash Sahni, Anil Sahni and Subhash Sahni will be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., East Champaran at Motihari in connection with Pipra P.S. case no. 133/07 subject to the condition as laid under section 438(2) of Code of Criminal Procedure.

pkj **(Kishore K. Mandal, J)**

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